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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,157	06/25/2003	David M. Reilly	VI/03-002	3562

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EXAMINER	
PRASAD, SONAL	
ART UNIT	**PAPER NUMBER**
3767	

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/606,157	REILLY ET AL.	
	Examiner	Art Unit	
	Sonal Prasad	3767	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 June 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/18/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Trocki (US 6,652,489 B2.) Trocki includes a syringe for use with an injector comprising a syringe retaining mechanism including a flexible ring **(Col 15, lines 64-67)**, the syringe comprising: a body comprising a rearward end and a forward end; a plunger movably disposed within the body; at least one attachment member **(Fig. 1, front removable portion)** associated with the body, the at least one attachment member cooperating with the flexible ring of the syringe retaining mechanism to releasably attach the syringe to the injector; and at least one release member associated with the body, the at least one release member operable to cause deformation of the flexible ring to enable release of the syringe from attachment with the injector upon rotation of the syringe about its axis relative to the injector, the at least one release member being positioned axially forward of the at least one attachment member. **(Col 48, lines 27-40)**
Regarding claim 2, Trocki includes the syringe wherein the at least one attachment member comprises a radially outward extending flange **(Col 15, lines 35-40)** encompassing the entire perimeter of the syringe. **(Col 48, lines 57-60)**

Regarding claim 3, Trocki discloses the syringe wherein the attachment flange has a sloped rearward surface to facilitate interaction with the flexible ring of the retaining mechanism. **(Col 15, lines 5-15)**

Regarding claim 4, Trocki discloses the syringe wherein the at least one attachment member comprises a plurality of radially outward extending flanges positioned around the perimeter of the syringe. **(Fig. 15)**

Regarding claim 5, Trocki discloses the syringe further comprising a flange member associated with the body and adapted to contact a corresponding surface of the injector when the syringe is releasably engaged therewith, the flange member being positioned axially forward of the at least one release member. **(Col 17, lines 57-65)**

Regarding claim 6, Trocki discloses the syringe wherein the flange member is adapted to substantially prevent fluid from entering the interior of the injector. **(Col 23, lines 48-55)**

Regarding claim 7, Trocki discloses the syringe wherein contact of the flange member with the corresponding surface of the injector is an indication of proper axial positioning of the syringe with respect to the injector for releasable engagement of the syringe to the injector. **(Fig. 41B, line B)**

Regarding claim 8, Trocki discloses the syringe wherein the at least one attachment member is associated with the rear end of the body. **(Fig. 57)**

Regarding claim 9, Trocki discloses the syringe wherein the at least one release member includes a plurality of radially outward projecting members that deform the

flexible ring upon rotation of the syringe about its axis to a disengagement position. **(Col 15, lines 5-10)**

Regarding claim 10, Trocki discloses the syringe wherein the at least one attachment member comprises a radially outward extending flange encompassing the entire perimeter of the syringe and the projecting members extend radially outward at least the same amotmt as the attachment member. **(Fig. 57 & 82)**

Regarding claim 11, Trocki discloses the syringe wherein the projecting members directly contact the flexible ring to deform the flexible ring. **(Col 15, lines 5-10, Fig. 59)**

Regarding claim 12, Trocki discloses the syringe wherein the plunger releasably engages the drive member of the injector via a flexible ring. **(Detailed descrip 12, Fig. 59)**

Regarding claim 13, Trocki discloses an injector for injecting fluid from a syringe mounted thereon, the injector comprising: a housing; a drive member at least partially disposed within the housing and operable to engage a plunger disposed within the syringe; and a syringe retaining mechanism associated with the housing and being operable to seat the syringe upon axial rearward motion of the syringe relative to the syringe retaining mechanism regardless of the orientation of syringe about the axis of the syringe, the syringe retaining mechanism consisting essentially of a flexible ring maintained at a fixed axial position within the syringe retaining mechanism. **(Col 48, lines 27-40, Col 49, lines 22-25)**

Regarding claim 14, Trocki discloses an injector system for injecting fluid comprising: a syringe comprising: a body comprising a rearward end and a forward end; a plunger

movably disposed within the body; at least one attachment member associated with the body, and at least one release member associated with the body, the at least one release member being positioned axially forward of the attachment member, and an injector comprising: a housing; a drive member at least partially disposed within the housing and operable to engage the plunger disposed within the syringe; and a syringe retaining mechanism associated with the housing and being operable to seat the syringe upon axial rearward motion of the syringe relative to the syringe retaining mechanism regardless of the orientation of syringe about the axis of the syringe, the syringe retaining mechanism comprising a flexible ring maintained at a fixed axial position within the syringe retaining mechanism; the flexible ring being in a first shape adapted to engage the at least one attachment member of the syringe when the syringe is seated within the syringe retaining mechanism and the syringe is positioned about its axis at an engagement position, the flexible ring being in a second shape adapted to release the syringe when the syringe is seated within the syringe retaining mechanism and the syringe is positioned abut its axis at a disengagement position, wherein the at least one release member causes the flexible ring to be in the second shape. **(Col 15, lines 5-10, Claims 1 & 16)**

Regarding claim 15, Trocki discloses the injector system wherein the at least one release member comprises a plurality of radially outward projecting members that deform the flexible ring upon rotation of the syringe about its axis to the disengagement position. **(Col 49, lines 22-25)**

Regarding claim 16, Trocki discloses the injector system wherein the at least one attachment member comprises a radially outward extending flange encompassing the entire perimeter of the syringe and the projecting members extend radially outward at least the same amount as the attachment member. **(Claims 18,21,&29)**

Regarding claim 17, Trocki discloses the injector system wherein the projecting members directly contact the flexible ring to deform the flexible ring. **(Col 5, lines 5-25)**

Regarding claim 18, Trocki discloses an injector for injecting fluid from a syringe mounted thereon, the injector comprising: a housing; a drive member at least partially disposed within the housing, the drive member comprising a flexible ring disposed thereon operable to engage a plunger disposed within the syringe, the flexible ring being in a first state adapted to engage the plunger and form a connection therewith when the plunger is rotated about its axis to a first position, the flexible ring deforming to a second position adapted to enable release of the plunger when the plunger is rotated about its axis to a second position; and a syringe retaining mechanism associated with the housing. **(Col 5, lines 5-30, Fig. 59)**

Regarding claim 19, Trocki discloses a syringe for use with an injector comprising a syringe retaining mechanism, the syringe comprising: a body comprising a rearward end and a forward end; a plunger movably disposed within the body; and at least one attachment member associated with the body, the at least one attachment member comprising a flexible ring operable to releasably attach the syringe to the injector. **(Col 15, lines 5-10, Fig. 1,2, 43a)**

Regarding claim 20, Trocki discloses the syringe wherein rotation of the syringe about its axis when attached to the injector causes deformation of the flexible ring to enable detachment of the syringe from the injector. **(Col 1, lines 44-50)**

Regarding claim 21, Trocki discloses an injector system for injecting fluid comprising: a syringe comprising: a body comprising a rearward end and a forward end; a plunger movably disposed within the body; and at least one attachment member associated with the body, the at least one attachment member comprising a flexible ring operable to releasably attach the syringe to the injector; and an injector comprising: a housing, a drive member at least partially disposed within the housing and operable to engage the plunger disposed within the syringe; and a syringe retaining mechanism associated with the housing and being operable to seat the syringe upon axially rearward motion of the syringe relative to the syringe retaining mechanism regardless of the orientation of syringe about the axis of the syringe, the syringe retaining mechanism defining an opening into which the syringe is insertable and comprising at least one abutment member to abut the flexible ring of the syringe and thereby resist forward axial movement of the syringe when the flexible ring is in a first shape, and at least one release member adapted to contact the flexible ring and force the flexible ring into a second shape to enable release of the syringe from attachment to the injector when the syringe is rotated about its axis to a disengagement position. **(Col 15, lines 5-30, Fig. 74-76, Claims 16 &18)**

Regarding claim 22, Trocki discloses an injector system for injecting fluid composing: a syringe comprising: a body comprising a rearward end and a forward end; a plunger

movably disposed within the body, the plunger comprising a flexible ring; at least one attachment member associated with the body; and an injector comprising: a housing; a drive member at least partially disposed within the housing and operable to engage the flexible ring of the plunger to releasably connect the plunger and the drive member; and a syringe retaining mechanism associated with the housing to form a releasable engagement with the attachment member of the syringe. **(Detailed descip 5 &6, Fig. 1, #40)**

Regarding claim 23, Trocki discloses a syringe comprising: a body comprising a rearward end and a forward end; and a plunger movably disposed within the body, the plunger comprising a flexible ring adapted to form a releasable connection with a drive member adapted to move the plunger within the syringe. **(Col 15, lines 5-20, Fig. 1,2, 43a)**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonal Prasad whose telephone number is 571-272-3383. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Sirmons can be reached on (571)272-4965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sonal Prasad
Examiner
Art Unit 3767

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